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SUBJECT: POSITIVE BIOTECH DEVELOPMENTS IN SPAIN

1. The local Monsanto representative has reported that the Spanish Interministerial GMOs Commission (composed of the Ministries of Environment, Agriculture, Health, Education and Science, and Industry, Tourism and Trade) took the following positive decisions at its 7/13/05 meeting.

a) Monsanto's application to permit cultivation in Europe of the NK603 Roundup Ready corn variety will be transferred to the European Commission with a positive risk evaluation.

b) The Director of the Spanish Food Safety Agency said he would contact the European Food Safety Agency and defend the positive scientific evaluation of the MON863 variety.

c) The Ministry of Agriculture was given the authority to approve new varieties derived from MON810.

d) The Interministerial Commission reportedly agreed to continue case by case decisions with respect to future EU Council votes. The Commission will usually abstain when approvals may compete with local production and vote positively when cultivation applications are supported by Spanish producers and industry.

2. Comment: The local Monsanto representative characterized the 7/13/05 decisions as "great news". Industry and Embassy efforts (DCM's May 13 letter to the Ministry of Environment with copies to Agriculture and Trade plus other high-level demarches to GOS officials) may have contributed to this outcome. No doubt though there will continue to be good and bad days for ag biotech in Spain. The attitude with respect to upcoming votes is troubling as it indicates that with respect to ag biotech decisions, protectionist motives, as well as undue deference to scientifically unfounded environmental opinions, influence Spanish policy.
AGUIRRE